

transactions with affiliates for a majority of banks. Unlike the current capital stock and surplus definition for section 23A, the revised definition would permit banks to include in the calculation of capital stock and surplus, subordinated debt that qualifies for inclusion in Tier 2 capital. On the other hand, unlike equity capital, Tier 1 capital does not include securities revaluation reserves, in particular gains and losses on available-for sale securities, which under Statement of Financial Accounting Standards Number 115 (FAS 115) are considered a component of equity capital. Overall, it is estimated that the revised definition of capital stock and surplus would result in a change for most banks of 5 percent or less from their current limit, although a few community and mid-sized banks would experience substantial changes as a result of their having large gains or losses on available-for-sale securities.

Notwithstanding the decrease for many banks in the amount of capital stock and surplus that would be used to calculate their section 23A limit under the revised definition, the Board believes that, over all, revising the definition would be beneficial for all insured depository institutions for two reasons. First, it would provide consistency in the capital definition used for Regulation O and the national bank lending limits. Second, the revised definition would result in a more stable limit over time than the current definition because it excludes revaluation gains and losses on available-for-sale securities, a component of equity capital that tends to be volatile.

The Board also proposes to amend 12 CFR 250.161 and 12 CFR 250.162 to delete the reference to section 23A to reflect the proposed change.

#### Initial Regulatory Flexibility Act Analysis

The Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*) requires an agency to publish an initial regulatory flexibility analysis with any notice of proposed rulemaking. Two of the requirements of an initial regulatory flexibility analysis (5 U.S.C. 603(b))—a description of the reasons why the action by the agency is being considered and a statement of the objectives of, and legal basis for, the proposed rule—are contained in the supplementary information above.

Another requirement for the initial regulatory flexibility analysis is a description of, and where feasible, an estimate of the number of small entities to which the proposed rule will apply. The proposed rule would apply to all

insured depository institutions, regardless of size. The Board has determined that its proposed rule would impose no additional reporting or recordkeeping requirements, and that there are no relevant federal rules that duplicate, overlap, or conflict with the proposed rule. In addition, the proposed rule is not expected to have a significant economic impact on small institutions. Instead, the proposed rule is expected to relieve the regulatory burden on a majority of insured depository institutions.

#### Paperwork Reduction Act

In accordance with section 3506 of the Paperwork Reduction Act of 1995 (44 U.S.C. 3501 *et seq.*; 5 CFR 1320 Appendix A.1.), the Board reviewed the proposed rule under authority delegated to the Board by the Office of Management and Budget. No collections of information pursuant to the Paperwork Reduction Act are contained in the proposed rule.

#### List of Subjects in 12 CFR Part 250

Credit, Federal Reserve System.

For the reasons set forth in the preamble, the Board proposes to amend 12 CFR part 250 as set forth below:

#### PART 250—MISCELLANEOUS INTERPRETATIONS

1. The authority citation for part 250 would continue to read as follows:

Authority: 12 U.S.C. 248(i) and 371c(e).

##### § 250.161 [Amended]

2. In § 250.161 paragraph (d) is amended by removing the words “loans to affiliates (12 U.S.C. 371c),” in the first sentence.

##### § 250.162 [Amended]

3. In § 250.162, paragraph (a) is amended by removing the words “Loans to affiliates (12 U.S.C. 371c), purchases” in the first sentence and adding “Purchases” in their place.

4. A new § 250.242 is added to read as follows:

##### § 250.242 Section 23A of the Federal Reserve Act—definition of capital and surplus.

(a) An insured depository institution's capital stock and surplus for purposes of section 23A of the Federal Reserve Act (12 U.S.C. 371c) is defined as:

(1) An institution's Tier 1 and Tier 2 capital included in the institution's risk-based capital under the capital guidelines of the appropriate Federal banking agency, based on the institution's most recent consolidated report of condition filed under 12 U.S.C. 1817(a)(3); and

(2) The balance of an institution's allowance for loan and lease losses not included in the institution's Tier 2 capital for purposes of the calculation of risk-based capital by the appropriate Federal banking agency, based on the institution's most recent consolidated report of condition filed under 12 U.S.C. 1817(a)(3).

(b) *Definitions.* For purposes of this section, the terms *appropriate Federal banking agency* and *insured depository institution* are defined as those terms are defined in section 3 of the Federal Deposit Insurance Act, 12 U.S.C. 1813.

By order of the Board of Governors of the Federal Reserve System, November 28, 1995.  
William W. Wiles,  
*Secretary of the Board.*

[FR Doc. 95-29425 Filed 12-1-95; 8:45 am]

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## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### 14 CFR Part 39

[Docket No. 95-NM-58-AD]

#### Airworthiness Directives; Fokker Model F28 Mark 0100 Series Airplanes

AGENCY: Federal Aviation Administration, DOT.

ACTION: Notice of proposed rulemaking (NPRM).

**SUMMARY:** This document proposes the adoption of a new airworthiness directive (AD) that is applicable to certain Fokker Model F28 Mark 0100 series airplanes. This proposal would require modification of the thrust reverser doors, and replacement of the Collins multifunction display units (MFDU) with new MFDU's. This proposal would also require installation of a placard, for certain airplanes. This proposal is prompted by a report that cracks were found in the flanges of the main hinge fittings of the horizontal stabilizer due to higher than anticipated loads induced during thrust reverser operation. The actions specified by the proposed AD are intended to ensure structural integrity of the horizontal stabilizer by reducing the thrust reverser loads on the horizontal stabilizer.

**DATES:** Comments must be received by January 16, 1996.

**ADDRESSES:** Submit comments in triplicate to the Federal Aviation Administration (FAA), Transport Airplane Directorate, ANM-103, Attention: Rules Docket No. 95-NM-58-AD, 1601 Lind Avenue SW., Renton, Washington 98055-4056. Comments

may be inspected at this location between 9 a.m. and 3 p.m., Monday through Friday, except Federal holidays.

The service information referenced in the proposed rule may be obtained from Fokker Aircraft USA, Inc., 1199 North Fairfax Street, Alexandria, Virginia 22314. This information may be examined at the FAA, Transport Airplane Directorate, 1601 Lind Avenue SW., Renton, Washington.

**FOR FURTHER INFORMATION CONTACT:** Tim Dulin, Aerospace Engineer, Standardization Branch, ANM-113, FAA, Transport Airplane Directorate, 1601 Lind Avenue SW., Renton, Washington 98055-4056; telephone (206) 227-2141; Fax (206) 227-1149.

#### **SUPPLEMENTARY INFORMATION:**

##### **Comments Invited**

Interested persons are invited to participate in the making of the proposed rule by submitting such written data, views, or arguments as they may desire. Communications shall identify the Rules Docket number and be submitted in triplicate to the address specified above. All communications received on or before the closing date for comments, specified above, will be considered before taking action on the proposed rule. The proposals contained in this notice may be changed in light of the comments received.

Comments are specifically invited on the overall regulatory, economic, environmental, and energy aspects of the proposed rule. All comments submitted will be available, both before and after the closing date for comments, in the Rules Docket for examination by interested persons. A report summarizing each FAA-public contact concerned with the substance of this proposal will be filed in the Rules Docket.

Commenters wishing the FAA to acknowledge receipt of their comments submitted in response to this notice must submit a self-addressed, stamped postcard on which the following statement is made: "Comments to Docket Number 95-NM-58-AD." The postcard will be date stamped and returned to the commenter.

##### **Availability of NPRMs**

Any person may obtain a copy of this NPRM by submitting a request to the FAA, Transport Airplane Directorate, ANM-103, Attention: Rules Docket No. 95-NM-58-AD, 1601 Lind Avenue SW., Renton, Washington 98055-4056.

##### **Discussion**

The Rijksluchtvaartdienst (RLD), which is the airworthiness authority for

the Netherlands, recently notified the FAA that an unsafe condition may exist on certain Fokker Model F28 Mark 0100 series airplanes. The RLD advises that, during full scale fatigue testing of the horizontal and vertical stabilizers, cracks were found in the flanges of the left- and right-hand main hinge fittings of the horizontal stabilizer on a Model F28 Mark 0100 test article. Investigation revealed that such cracking is the result of higher than anticipated loads induced on the tail of the airplane during thrust reverser operation. This condition, if not corrected, could lead to a deteriorated fatigue life of the main hinge fitting structure on the horizontal stabilizer and reduced structural integrity of the horizontal stabilizer.

Fokker has issued Service Bulletin SBF100-78-010, Revision 1, dated April 26, 1994, which describes procedures for modification of the thrust reverser doors. This modification involves installation of extended bumper fittings on the thrust reverser doors. Accomplishment of this modification will reduce the reverse thrust at a given engine pressure ratio by increasing the spillage gap.

Fokker has also issued Service Bulletin SBF100-31-036, dated February 7, 1994, which describes procedures for replacement of the Collins multifunction display units (MFDU) having part number (P/N) 622-8047-412 or 622-8047-422 with new MFDU's having P/N 622-8047-414 or 622-8047-423, respectively. Accomplishment of this replacement will reduce thrust reverser loads on the horizontal stabilizer.

Additionally, Fokker has issued Service Bulletin SBF100-31-038, dated April 26, 1994, which describes procedures for installation of a placard on the main instrument panel, if the replacement of the MFDU is accomplished prior to modification of the thrust reverser door. The placard provides current engine limits for these airplanes.

The RLD classified these service bulletins as mandatory and issued Netherlands airworthiness directive BLA 94-062(A), dated April 29, 1994, in order to assure the continued airworthiness of these airplanes in the Netherlands.

This airplane model is manufactured in the Netherlands and is type certificated for operation in the United States under the provisions of section 21.29 of the Federal Aviation Regulations (14 CFR 21.29) and the applicable bilateral airworthiness agreement. Pursuant to this bilateral airworthiness agreement, the RLD has kept the FAA informed of the situation

described above. The FAA has examined the findings of the RLD, reviewed all available information, and determined that AD action is necessary for products of this type design that are certificated for operation in the United States.

Since an unsafe condition has been identified that is likely to exist or develop on other airplanes of the same type design registered in the United States, the proposed AD would require modification of the thrust reverser doors. The proposed AD would also require replacement of certain Collins multifunction display units (MFDU) with certain new MFDU's, and installation of a placard, if the replacement of the MFDU is accomplished prior to modification of the thrust reverser door. The actions would be required to be accomplished in accordance with the service bulletins described previously.

The FAA estimates that 102 airplanes of U.S. registry would be affected by this proposed AD, that it would take approximately 127 work hours per airplane to accomplish the proposed actions, and that the average labor rate is \$60 per work hour. Required parts would cost approximately \$19,000 per airplane. Based on these figures, the cost impact of the proposed AD on U.S. operators is estimated to be \$2,715,240, or \$26,620 per airplane.

The cost impact figure discussed above is based on assumptions that no operator has yet accomplished any of the proposed requirements of this AD action, and that no operator would accomplish those actions in the future if this AD were not adopted.

The regulations proposed herein would not have substantial direct effects on the States, on the relationship between the national government and the States, or on the distribution of power and responsibilities among the various levels of government. Therefore, in accordance with Executive Order 12612, it is determined that this proposal would not have sufficient federalism implications to warrant the preparation of a Federalism Assessment.

For the reasons discussed above, I certify that this proposed regulation (1) is not a "significant regulatory action" under Executive Order 12866; (2) is not a "significant rule" under the DOT Regulatory Policies and Procedures (44 FR 11034, February 26, 1979); and (3) if promulgated, will not have a significant economic impact, positive or negative, on a substantial number of small entities under the criteria of the Regulatory Flexibility Act. A copy of the draft regulatory evaluation prepared for this action is contained in the Rules Docket.

A copy of it may be obtained by contacting the Rules Docket at the location provided under the caption **ADDRESSES**.

#### List of Subjects in 14 CFR Part 39

Air transportation, Aircraft, Aviation safety, Safety.

#### The Proposed Amendment

Accordingly, pursuant to the authority delegated to me by the Administrator, the Federal Aviation Administration proposes to amend part 39 of the Federal Aviation Regulations (14 CFR part 39) as follows:

### **PART 39—AIRWORTHINESS DIRECTIVES**

1. The authority citation for part 39 continues to read as follows:

Authority: 49 U.S.C. 106(g), 40101, 40113, 44701.

#### **§ 39.13 [Amended]**

2. Section 39.13 is amended by adding the following new airworthiness directive:

Fokker: Docket 95–NM–58–AD.

*Applicability:* Model F28 Mark 0100 series airplanes; serial numbers 11244 through 11460 inclusive, 11463 through 11469 inclusive, 11471, 11474, 11476, 11478, and 11479; certificated in any category.

Note 1: This AD applies to each airplane identified in the preceding applicability provision, regardless of whether it has been modified, altered, or repaired in the area subject to the requirements of this AD. For airplanes that have been modified, altered, or repaired so that the performance of the requirements of this AD is affected, the owner/operator must use the authority provided in paragraph (d) of this AD to request approval from the FAA. This approval may address either no action, if the current configuration eliminates the unsafe condition; or different actions necessary to address the unsafe condition described in this AD. Such a request should include an assessment of the effect of the changed configuration on the unsafe condition addressed by this AD. In no case does the presence of any modification, alteration, or repair remove any airplane from the applicability of this AD.

*Compliance:* Required as indicated, unless accomplished previously.

To ensure structural integrity of the horizontal stabilizer by reducing the thrust reverser loads on the horizontal stabilizer, accomplish the following:

(a) Prior to the accumulation of 15,000 total flight cycles, or within 1 year after the effective date of this AD, whichever occurs later, accomplish the requirements of paragraphs (a)(1) and (a)(2) of this AD concurrently, except as provided by paragraph (b) of this AD.

(1) Modify the thrust reverser doors in accordance with Fokker Service Bulletin

SBF100–78–010, Revision 1, dated April 26, 1994; and

(2) Replace the Collins multifunction display units (MFDU) having part number (P/N) 622–8047–412 or 622–8047–422 with new MFDU's having P/N 622–8047–414 or 622–8047–423, respectively; as applicable; in accordance with Fokker Service Bulletin SBF100–31–036, dated February 7, 1994.

(b) Paragraph (a)(2) of this AD may be accomplished prior to paragraph (a)(1) of this AD provided that a placard is installed on the main instrument panel in accordance with Fokker Service Bulletin SBF100–31–038, dated April 26, 1994, and removed, prior to further flight, after accomplishment of the requirements of paragraph (a)(1) of this AD.

(c) For airplanes that have been modified in accordance with paragraphs (a)(1) and (a)(2) of this AD: No person may install a Grumman Aerospace aft engine cowlings having part number 1159P41440 on any airplane unless it has been previously modified in accordance with Fokker Component Service Bulletin P41440–78–02, dated December 17, 1993, as revised by Fokker Component Service Bulletin Change Notification P41440–78–02/001, dated February 25, 1995.

(d) An alternative method of compliance or adjustment of the compliance time that provides an acceptable level of safety may be used if approved by the Manager, Standardization Branch, ANM–113, FAA, Transport Airplane Directorate. Operators shall submit their requests through an appropriate FAA Principal Maintenance Inspector, who may add comments and then send it to the Manager, Standardization Branch, ANM–113.

Note 2: Information concerning the existence of approved alternative methods of compliance with this AD, if any, may be obtained from the Standardization Branch, ANM–113.

(e) Special flight permits may be issued in accordance with sections 21.197 and 21.199 of the Federal Aviation Regulations (14 CFR 21.197 and 21.199) to operate the airplane to a location where the requirements of this AD can be accomplished.

Issued in Renton, Washington, on November 28, 1995.

S. R. Miller,

*Acting Manager, Transport Airplane Directorate, Aircraft Certification Service.*

[FR Doc. 95–29443 Filed 12–1–95; 8:45 am]

**BILLING CODE 4910–13–U**

### **14 CFR Part 71**

**[Airspace Docket No. 95–ACE–13]**

### **Proposed Amendment to Class E Airspace; Webster City, IA**

**AGENCY:** Federal Aviation Administration (FAA), DOT.

**ACTION:** Notice of proposed rulemaking.

**SUMMARY:** This notice proposes to amend the Class E airspace area at Webster City Municipal Airport,

Webster City, IA. The development of a new Standard Instrument Approach Procedure (SIAP) based on the Global Positioning System (GPS) has made the proposal necessary. The intended effect of this proposal is to provide additional controlled airspace for aircraft executing the SIAP at Webster City Municipal Airport.

**DATES:** Comments must be received on or before January 8, 1996.

**ADDRESSES:** Send comments on the proposed in triplicate to: Manager, Air Traffic Operations Branch, ACE–530, Federal Aviation Administration, Docket No. 95–ACE–13, 601 East 12th Street, Kansas City, Missouri 64106.

The official docket may be examined in the Office of the Assistant Chief Counsel for the Central Region at the same address between 9 a.m. and 3 p.m., Monday through Friday, except Federal holidays.

An informal docket may also be examined during normal business hours in the office of the Manager, Air Traffic Operations Branch, Air Traffic Division, at the address listed above.

**FOR FURTHER INFORMATION CONTACT:** Kathy Randolph, Air Traffic Division, Air Traffic Operations Branch, ACE–530C, Federal Aviation Administration, 601 East 12th Street, Kansas City, Missouri 64106; telephone number: (816)426–3408.

### **SUPPLEMENTARY INFORMATION:**

#### **Comments Invited**

Interested parties are invited to participate in this proposed rulemaking by submitting such written data, views, or arguments as they may desire. Comments that provide the factual basis supporting the views and suggestions presented are particularly helpful in developing reasoned regulatory decisions on the proposal. Comments are specifically invited on the overall regulatory, economic, environmental, and energy-related aspects of the proposal. Communications should identify the airspace docket number and be submitted in triplicate to the address listed above. Commenters wishing the FAA to acknowledge receipt of their comments on this notice must submit with those comments a self-addressed, stamped postcard on which the following statement is made: "Comments to Airspace Docket No. 95–ACE–13." The postcard will be date/time stamped and returned to the commenter. All communications received on or before the closing date for comments will be considered before taking action on the proposed rule. The proposal contained in this notice may be changed in light of comments